

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re

CITY OF DETROIT, MICHIGAN,

Debtor.

No. 13-53846

Chapter 9

HON. STEVEN W. RHODES

**EXHIBIT 58**

**APPELLEE STATE OF MICHIGAN'S DESIGNATION OF  
ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL**

In connection with Notice of Appeal filed by  
William M. Davis and DAREA [Dkt. #8473].

<b>Item</b>	<b>Date Filed</b>	<b>Docket Number</b>	<b>Description</b>
58	7/11/2014	5963	Objection to Chapter 9 Plan filed by Creditor Evelyn Smith

CASE NO. 13-53846  
JUDGE STEVEN W. RHODES  
C/O CLERK OF COURT  
U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DISTRICT  
211 W. FORT STREET SUITE 1800  
DETROIT, MICHIGAN 48226

FILED (1)  
2014 JUL 11 P 3:16  
U.S. BANKRUPTCY COURT  
E.D. MICHIGAN-DETROIT

**AS A CITY OF DETROIT RETIREE, I OBJECT TO THE PLAN OF ADJUSTMENT FOR THE FOLLOWING REASONS:**

1. CURRENT RETIREES PENSIONS ARE FULLY FUNDED, THE MONEY WAS THERE WHEN WE RETIRED AND FULLY VESTED.
2. KEVIN ORR GAVE 5% RAISES TO COUNCIL MEMBERS, ELECTED OFFICIALS AND ACTIVE CITY EMPLOYEES. IF THE CITY OF DETROIT IS IN SUCH DIRE DISTRESS, HOW CAN KEVIN ORR GIVE THESE PAY RAISES, BUT RETIREES ARE BEING THREATENED WITH EXUBERANT CUTS.
3. CRAINS DETROIT NEWS ARTICLE REPORTED THE EXUBERANT AMOUNT OF MONEY SPENT BY KEVIN ORR WITH THE CITY OF DETROIT ON BEHALF OF JONES DAY ATTORNEYS AND OTHERS - \$75,000,000+ AS OF JUL 7, 2014.
4. HOW CAN OUR RIGHT TO SUE BE THREATENED AND/OR ELIMINATED.
5. ALL OBJECTIONS AND COURT ROOM TESTIMONY MUST BE RECORDED, DOCUMENTED AND PLACED INTO THE OFFICIAL RECORD.
6. BALLOT COUNTING SHOULD BE MONITORED IN DETROIT AT COBO HALL UNDER THE SUPERVISION OF SEVERAL RETIREES AND PEOPLE OF INTEREST.
7. NEGLIGENCE ON KEVIN ORR PART FOR NOT GOING AFTER BANKS ON THE SWAPS DEAL.



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15. **RECOUPMENT ISSUE:** IT'S UNFAIR TREATMENT WITHIN CLASS 11 WHEN THE OUTCOME IS GOING TO BE DETERMINED BY EVERYONE, ALTHOUGH EVERYONE WILL NOT BE EFFECTED. IT IS UNFAIR THAT PEOPLE ARE VOTING ON THE RECOUPMENT ISSUE THAT WILL NOT EFFECT THEM.
16. DISCRIMINATORY PRACTICES BETWEEN POLICE/FIRE FUND AND THE GENERAL RETIREMENT FUND. RETIRED CITY EMPLOYEES ARE BEING DEALT WITH DIFFERENTLY, AND SHOULD BE TREATED EQUALLY.
17. I OBJECT TO THE FACT THAT THE OFFICIAL RETIREE COMMITTEE WAS APPOINTED BY THE COURT AND NOT SELECTED BY THE RETIREES.
18. COMMITTEES, PENSION BOARDS, TRUSTEES AND UNION REPRESENTATIVES WHO ARE SUPPOSE TO REPRESENT THE RETIREES DID NOT CONSULT WITH THE RETIREES ON THEIR POSITIONS.
19. IT APPEARS THAT THE RETIREE LEADERS RECEIVED FINANCIAL INCENTIVES IN EXCHANGE FOR THEIR SUPPORT TO "ACCEPT" THE PLAN OF ADJUSTMENT.
20. I BELIEVE RECOUPMENT OF THE ANNUITY SAVINGS INTEREST EARNED FROM 2003 TO 2013 IS ILLEGAL BECAUSE INTEREST WAS EARNED BY THE RETIREES OWN CONTRIBUTIONS.
21. THE RECOUPMENT YEARS SELECTED, 2003 THROUGH 2013, DISPROPORTIONATELY AFFECT AFRICAN AMERICAN RETIREES WHICH IS DISCRIMINATORY.
22. THIS PLAN OF ADJUSTMENT WILL IMPAIR ALL CITY OF DETROIT RESIDENTS.
23. I OBJECT TO THE SELL OR PRIVATIZATION OF THE WATER DEPARTMENT BECAUSE IT IS NOT IN THE BEST INTERESTS OF THE

CITY OF DETROIT RESIDENTS OR RETIREES. WATER DEPARTMENT HAS HISTORICALLY CONTRIBUTED 40% TO THE GENERAL FUND ANNUALLY.

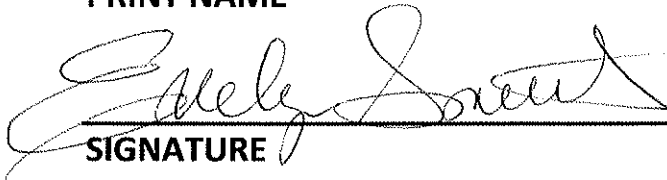
24. I OBJECT TO THE NONE MONETARY LEASE OF BELLE ISLE. WE LOST A REVENUE STREAM. AS PENSIONERS, MY \$11.00 A YEAR SHOULD BE GOING TO THE CITY OF DETROIT GENERAL FUND AND A PERCENTAGE TO THE GENERAL PENSION FUND.

25. I OBJECT TO THE CUT TO OUR HEALTH CARE PLAN FOR RETIREES. I RECEIVED A LETTER FROM THE CITY SPONSOR PLAN, WHICH STATES WE COULD PURCHASE INSURANCE THROUGH THE PLAN FOR \$1,303 PER PERSON PER MONTH. THIS IS OUTRAGEOUS AND UNAFFORDABLE.

**RESPECTFULLY SUBMITTED BY CITY OF DETROIT RETIREE**

EVELYN SMITH

**PRINT NAME**



**SIGNATURE**

7-10-14

OWENS SMITH 7@HOTMAIL.COM

**EMAIL ADDRESS**

19450 GLOUCESTER DR DETROIT MI

**ADDRESS**

313 410-0066

**TELEPHONE NUMBER**